IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRI.APPLICATION NO.5362 OF 2005
IN
CRI.APPLICATION NO.4381 OF 2004

Mohamad Yusuf Arif Khan ..Applicant
Vs.
State of Maharashtra & Anr. ..Respondents
And
Shahanaz Banu Abdul Karim
Shaikh ..Intervenor
...
Mr.Monica Sakhrani Advocate for Intervener
Mr.B.H.Mehta A.P.P. for the State
None for the original applicant-accused
...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : AUGUST 31,2005

P.C.

1. Heard the learned advocate for the Intervener i.e. the mother of the complainant as well as mother of the victim girl. None appears for the accused i.e. Mohamad Yusuf Arif Khan though served. The learned advocate for the Intervener tenders affidavit of service which is taken on record and marked ‘X’ for identification.

2. The complaint came to be filed against various persons mainly under Sections 498-A and 313 of IPC. The said case is numbered as Sessions Case No.379

of 2002 which is pending before the Sessions Court at Pune. In the said case, the original applicant i.e. Mohd. Yusuf Arif Khan came to be added lateron as an accused by the learned Sessions Judge by order dated 27.8.2004. Being aggrieved by the said order, he preferred Cri.Application No. 4381 of 2004. In the said application, rule came to be granted by this Court and the impugned order dated 27.8.2004 came to be stayed. The Intervener is seeking vacating of the stay granted in Cri.Application No.4381 of 2004. As Rule has been granted in the said matter, in my view, the appropriate course would be that the said application be heard expeditiously. In this view of the matter, Cri.Application No.4381 of 2004 be placed on the final hearing board in the week commencing from 24.10.2005.

3. Application is disposed of.

[V.K.TAHILRAMANI,J.]